

REMARKS

This communication responds to the Official Action dated July 28, 2006, and the reference cited therewith.

At the outset and before addressing the rejections raised in the Official Action, the Applicant has amended independent Claims 23, 39 and 55 to recite the invention with more particularity and to obviate the rejections raised in the Official Action. Claims 28, 44 and 62 were amended to recite generating the hierarchical representation with more particularity. Support is founding the specification as filed in paragraphs 25 and 26. Furthermore, Claims 55, 57, 60, 64-66 and 69 were amended to place the claims into Beauregard form.

The Applicant has further added new Claims 71-94. Support for claims 71-72, 78-79 and 85-86 can be found in the specification as filed at least in paragraphs 41-43. Support for claims 73-74, 80-81 and 87-88 can be found in the specification as filed at least in paragraph 27. Support for claims 75, 82 and 89 can be found in the specification as filed at least in paragraphs 24, 26, 32 and 33 (FIG. 1, sub-areas H6 and H7). Support for claims 76, 83 and 90 can be found in the specification as filed at least in paragraphs 44, 45, 46 and 55 (FIG. 5, operations E1, E7). Support for claims 77, 84 and 91 can be found in the specification as filed at least in paragraphs 56-57. Independent claim 92 represents the combination of claims 23, 30 and 31; independent claim 93 the combination of claims 39, 46 and 47; and independent claim 94 the combination of claims 55, 62 and 63. The Applicant respectfully submits that no new subject matter has been added via the foregoing amendments to the claims.

Claims 26-27, 29, 35-36, 38, 42-43, 45, 51-52, 54, 58-59, 61, 67-68 and 70 have been cancelled without prejudice or disclaimer. Claims 71-94 have been added. As a result, Claims 23-94 are now pending in this application.

§ 112 Rejection of the Claims

Claims 23-70 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Independent claims 23, 39 and 55 were amended as recited herein, amending the term traversing to the term retrieving, as discussed with the Examiner during the telephonic interview of September 19, 2006. Applicant respectfully submits that retrieval of information from the data structure is fully supported by the

specification as filed. Consequently, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 23-70 pursuant to 35 U.S.C. § 112, second paragraph.

§ 103 Rejection of the Claims

Claims 23-70 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hunter et al. (U.S. Publication No. 2003/0069002) (hereinafter “Hunter”) in view of Young et al. (U.S. Pub. No. 2004/0168086) (hereinafter “Young”).

The primary prior art reference to Hunter is directed to a system for emergency notification content delivery. More specifically, in FIG. 1, Hunter’s emergency originating source 12 transmits an emergency notification content 111a,b to a transmitting party 15, 17 or 18, e.g., CATV operator 15, DBS 17, or ISP 18 (See Hunter, paragraph 0050). The transmitting party 15, 17 or 18 re-broadcasts the emergency notification content 111a,b to receiving devices 40, e.g., set top box, computer, pager, cellular phone, personal digital assistant, etc., which display or reproduce the emergency content notification 111a, b (See Hunter, paragraph 0051). Hunter teaches that the transmitting party 15, 17 or 18 includes respective memory storage devices 25, 27 and 28, which share an emergency knowledge database that includes information for directing the emergency notification content 111a, b to at least one user from the intended audience based on at least one corresponding entry in the database (See Hunter, paragraph 0052). Furthermore, the corresponding entry in the knowledge database comprises a *geographic location* of the at least one user and includes a *telephone number* (cellular or standard) for directing emergency notification content 111a, b to the user (See Hunter, paragraph 0052). Emergency notification content 111a, b is processed by the transmitting party 15, 17 or 18 so that it may be targeted according to known *geographic* and *spatial* location of the at least one user in accordance with information included in the emergency knowledge database (See Hunter, paragraph 0056). Hunter’s emergency knowledge database comprises: 1) a first entry listing a plurality of users; 2) at least one second entry listing emergency information (e.g., address of the user) useful in directing the emergency notification content to a portion of the users, the at least one second entry corresponding to each of the users in the first entry; and 3) a third entry listing a geographical area, a telephone number and/or wireless telephone number to each of the users in the first entry (See Hunter, paragraph 0035). Hunter further teaches that individual households

or businesses within the geographic and spatial location could receive custom tailored messages, such as directions for escape, via the receiving devices 40. More specifically, Hunter further teaches that a further differentiation may be done directly to households within the same building, e.g., based on floors on which households are located (See Hunter, paragraph 0056).

The secondary prior art reference to Young is directed to security risk management via security threat map (STM). A user 101 can access the STM 102 to view information relating to security risk or threat associated with a *security element*, which includes definable geographic area, facility, resource or asset (See Young, paragraph 0039). Young teaches that a hierarchical relationship can be set up between any two or more of its elements 201-206, such that as a user traverses up or down its hierarchy, a different set or subset of elements will be selected or addressed (See Young, paragraph 0040-41). More specifically, in FIG. 2B, Young defines its exemplary hierarchy of elements in the STM 102, which includes a geographic area 201, a city 202, a building 203, a floor/room 204, and a resource 205 such as people, equipment or data 206 (See Young, paragraph 0042-0045). The building 203 is related to a *floor or room* 204, and the *floor or room* 204 is related to a resource 205 (See Young, paragraph 0044). The resource 205 includes all things having economic value, such as equipment, information and data 206 (See Young, paragraph 0045).

In traversing the rejection of independent Claims 23, 39 and 55, the Applicant respectfully submits that the Hunter-Young combination is defective in that it fails to teach or suggest a method, system and program storage device for managing a plurality of occupants including visitors of a multi-floored building with each floor having a plurality of areas during an emergency event, as particularly recited in amended independent Claims 23, 39 and 55.

The Hunter-Young combination fails to teach or suggest at least “generating a data structure having a hierarchical representation of the multi-floored building, with each floor being represented by a floor node and each of the plurality of areas of each floor being represented by an area node that is relationally associated to the floor node,” as particularly recited in Claim 23, 39 and 55. As described above, Hunter teaches a database having 1) a first entry listing a plurality of users; 2) at least one second entry listing emergency information (e.g., address of the user) useful in directing the emergency notification content to a portion of the users, the at least one second entry corresponding to each of the users in the first entry; and 3) a third entry listing

a geographical area, a telephone number and/or wireless telephone number corresponding to each of the users in the first entry (See Hunter, paragraph 0035). As is abundantly clear, Hunter's database does not have a hierarchical representation of a multi-floored building as recited in claims 23, 39 and 55. Instead, Hunter's database has a linear or spatial representation for a user, merely relating a first entry (user) with a second entry (user's address) and a third entry (user's geographical area, telephone, etc.). As is correctly acknowledged by the Examiner on page 3 of the Office Action, Hunter indeed fails to teach associating area nodes with floor nodes to create a hierarchical relationship between area nodes and floor nodes. The Applicant respectfully submits that secondary prior art reference to Young fails to rectify the deficiency identified in Hunter. As described above, Young teaches that a hierarchical relationship can be set up between its elements 201-206, such that as a user traverses up or down its hierarchy, a different set or subset of elements will be selected or addressed (See Young, paragraph 0040-41). However, just as acknowledged by the Examiner in Hunter, Young also fails to teach associating area nodes with floor nodes to create a hierarchical relationship between area nodes and floor nodes. More specifically, although Young teaches a hierarchical representation in which a building 203 is related to *floors or rooms* 204 (emphasis added), Young fails to relate its rooms to floors. In addition, as described in original paragraph 0024 of the present specification, an area node does not represent a room. More specifically, "a floor area could comprise, for example, one or more rooms that are formed by a fixed wall. Consequently, a hall, a reception area, an office, a bathroom, etc., each could have a floor area node H4-H5 in the hierarchical representation 2. When the building comprises an office building, floor area nodes H4-H5 could each represent an area of the corresponding floor that is occupied by a different company. In any event, a floor area may be further *sub-divided into rooms, cubicles formed by temporary walls, areas of a room, or the like*" (See present specification, paragraph 0024). Consequently, the Hunter-Young combination fails to teach or suggest at least generating a data structure having a hierarchical representation of the multi-floored building, with each floor being represented by a floor node and each of the plurality of areas of each floor being represented by an area node that is relationally associated to the floor node, as particularly recited in amended Claims 23, 39 and 55.

The Hunter-Young combination further fails to teach or suggest “generating in the data structure an occupant node for each occupant in the multi-floored building and relationally associating the occupant node with one or more area nodes of a floor of the multi-floored building,” as particularly recited in amended claims 23, 39 and 55. On page 5 of the Office Action, the Examiner alleged that Hunter teaches generating an occupant node and associating it with location of occupant. The Applicant respectfully disagrees. As argued above, the primary prior art reference to Hunter does not teach or suggest a hierarchical representation of a multi-floored building as recited in claims 23, 39 and 55. Specifically, as acknowledged by the Examiner, Hunter fails to teach associating area nodes with floor nodes to create a hierarchical relationship between area nodes and floor nodes. As a consequence of failing to teach or suggest a hierarchical representation, Hunter necessarily fails to teach or suggest relationally associating an occupant node with one or more area nodes of a floor of the multi-floored building in the hierarchical data structure. The secondary prior art reference to Young fails to rectify this deficiency. As argued above, Young does not rectify the deficiency of the hierarchical representation in Hunter, failing to teach or suggest associating area nodes with floor nodes. As is further clearly seen in FIG. 2B, Young associates people, equipment, data 206 with a resource 205, and the resource 205 is further associated with either a floor or a room 204. Therefore, Young also fails to teach or suggest relationally associating an occupant node with one or more area nodes of a floor of the multi-floored building in the hierarchical data structure. Consequently, the Hunter-Young combination fails to teach or suggest “generating in the data structure an occupant node for each occupant in the multi-floored building and relationally associating the occupant node with one or more area nodes of a floor of the multi-floored building,” as particularly recited in amended Claims 23, 39 and 55.

The Hunter-Young combination also fails to teach or suggest “generating in the data structure one or more device nodes for each occupant in the multi-floored building and relationally associating the device nodes to the occupant node for that occupant, each of the device nodes including device information for a device correlated to an area of a floor at which to contact the occupant,” as particularly recited in amended Claims 23, 39 and 55. As already argued above, the Hunter-Young combination fails to teach or suggest the hierarchical representation of a multi-floored building as recited in claims 23, 39 and 55. As a consequence

of failing to teach or suggest a hierarchical representation in the data structure, the Hunter-Young combination further necessarily fails to teach or suggest relationally associating one or more device nodes to an occupant node in the hierarchical representation. Furthermore, the Hunter-Young combination fails to teach or suggest device nodes that are correlated to areas of a floor at which to contact the occupant. As the occupant may be at different areas of floors of a building, devices correlated to the areas may be used to contact the occupant at those areas. Hunter fails to teach or suggest using devices correlated to areas of the floor at which to contact the occupant, at least because Hunter fails to teach or suggest the hierarchical representation of the data structure. Young fails to rectify this deficiency. Young is silent about and therefore does not teach or suggest using devices correlated to areas of the floor to contact the occupants of those areas. Consequently, the Hunter-Young combination fails to teach or suggest “generating in the data structure one or more device nodes for each occupant in the multi-floored building and relationally associating the device nodes to the occupant node for that occupant, each of the device nodes including device information for a device correlated to an area of a floor at which to contact the occupant,” as particularly recited in amended Claims 23, 39 and 55.

Consequently, the Applicant respectfully requests the Examiner to withdraw the rejection of independent Claims 23, 39 and 55 pursuant to 35 U.S.C. § 103(a). the Applicant further respectfully requests the Examiner to withdraw the rejection of Claims 24-38, 40-54 and 56-70 based at least on their dependencies, whether direct or indirect, from the independent Claims 23, 39 and 55.

CONCLUSION

The Applicant respectfully submits that the claims are in condition for allowance, and earnestly requests notification of to that effect. The Examiner is invited to telephone Applicant's attorney at 516-203-7270 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DIEGANE DIONE

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
612-373-6900

Date January 26, 2007
By Alexander G. Vodovozov
Alexander G Vodovozov
Reg. No. 55,701

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26 day of January, 2007.

John D. Gunter - W-at-hall

Name

John D. Gunter - W-at-hall
Signature